

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JONATHAN WARREN,

Plaintiff,

vs.

Civ. No. 12-1086 KG/LAM

EMERALD HEALTHCARE SYSTEMS;  
EMERALD CORRECTIONAL MANAGEMENT, LLC;  
WARDEN ARTHUR ANDERSON;  
KAMERIN ST. CLAIRE;  
TONI GARRET; DOCTOR JOHN DOE;

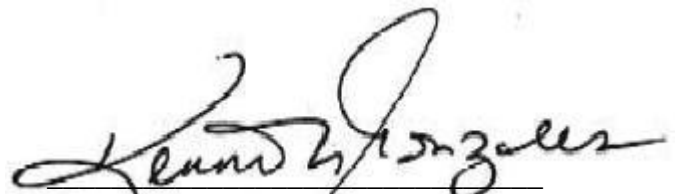
Defendants.

ORDER

On January 25, 2013, Defendants Lincoln County Detention Center, Emerald Correctional Management, LLC, and Warden Arthur Anderson (collectively, Corrections Defendants) filed Defendants Lincoln County Detention Center, Emerald Correctional Management, LLC, and Warden Arthur Anderson's Opposed Motion to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted Pursuant to F.R.C.P. 12(b)(6) and Memorandum in Support (Doc. 11) (Motion to Dismiss). A short time after the Corrections Defendants filed their Motion to Dismiss, Plaintiff filed an Amended Complaint for the Recovery of Damages Caused by the Deprivation of Civil Rights (Doc. 22) (Amended Complaint) on February 5, 2013. The Corrections Defendants acknowledge that in light of the Amended Complaint, the Motion to Dismiss is now moot. *See* Defendants Emerald Correctional Management, LLC, and Warden Arthur Anderson's Opposed Motion to Dismiss Amended Complaint for Failure to State a Claim Upon Which Relief Can be Granted Pursuant to F.R.C.P.

12(b)(6) and Memorandum in Support (Doc. 26) at 2, filed Feb. 18, 2013. The Court, therefore, determines that the Motion to Dismiss should be denied as moot.

IT IS ORDERED that Defendants Lincoln County Detention Center, Emerald Correctional Management, LLC, and Warden Arthur Anderson's Opposed Motion to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted Pursuant to F.R.C.P. 12(b)(6) and Memorandum in Support (Doc. 11) is denied as moot.



UNITED STATES DISTRICT JUDGE